



UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
NEW YORK REGIONAL OFFICE
BROOKFIELD PLACE, 200 VESEY STREET, SUITE 400
NEW YORK, NEW YORK 10281-1022

WRITER'S DIRECT DIAL LINE
(212) 336-0159

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BY ELECTRONIC MAIL

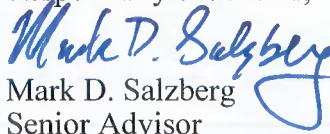
Honorable Richard J. Sullivan
United States District Court Judge
Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square, Room 2104
New York, New York 10007

Re: SEC v. Amerindo Investment Advisors, Inc., at al., 05-Civ.-5231 (RJS)

Dear Judge Sullivan:

I represent plaintiff Securities and Exchange Commission in the above-captioned action. Yesterday, Ms. Shevitz, counsel to the defendants, filed a letter requesting an extension until "at least" April 15, 2016 of the response date to the Receiver's (i) motion for fixing, allowing and amending certain investors claims and authorizing an interim distribution; and (ii) application for compensation and reimbursement for expenses on behalf of Cayman counsel. [Doc Nos. 584, 585]. As a preliminary matter, Ms. Shevitz did not seek the consent of the staff or the Receiver in contravention of Individual Rule of Practice 1.D. While the staff would, subject to the Court's discretion, consent to a short extension for Ms. Shevitz, her request for an extension until April "to allow for consideration of any Court of Appeals' concerns on [the] calendared appeals" appears to be an attempt to obtain a *de facto* stay of the District Court proceedings, and, in particular, distributions to the harmed investors, which both Your Honor and the Second Circuit have previously rejected. [Dist. Ct. Doc. No. 561 (August 14, 2015); Second Circuit Doc. No. 133 (September 25, 2015)]. Accordingly, the staff respectfully opposes Ms. Shevitz's requested extension to April 2016, but would consent to a short extension as a courtesy. The Receiver has advised the staff that he adopts the staff's position set forth in this letter.

Respectfully submitted,


Mark D. Salzberg
Senior Advisor